

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FRANCOIS ABESSOLO, :
:
Plaintiff, : : NO. 1:11-CV-00680
v. : :
: :
SARA SMITH, et al., : :
: :
Defendants. : :

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 26), Plaintiff's objections thereto (doc. 28), and Defendants' responses to Plaintiff's objections (docs. 31 & 32). In her Report and Recommendation, the Magistrate Judge recommends that Defendants' first two motions to dismiss (docs. 11 & 12) be denied; that Plaintiff's motion for default judgment (doc. 13) be denied; and that Defendants Sams and Daniel's motion to dismiss for lack of subject matter jurisdiction (doc. 18) and the County Defendants' motion to dismiss (doc. 19) be granted.

As required by 29 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has reviewed the comprehensive analysis of the Magistrate Judge and considered de novo all of the filings in this matter. Upon thorough consideration of the foregoing, the Court finds Plaintiff's objections unpersuasive and determines that the Magistrate Judge's Report and Recommendation is thorough, well-reasoned and correct. Consequently, the Court

ADOPTS and AFFIRMS it in its entirety. Accordingly, Defendants' first two motions to dismiss (docs. 11 & 12) are DENIED as moot; Plaintiff's motion for default judgment (doc. 13) is DENIED; Defendants Sams and Daniel's motion to dismiss for lack of subject matter jurisdiction (doc. 18) is GRANTED; the County Defendants' motion to dismiss for failure to state a claim (doc. 19) is GRANTED; and this matter is closed from the Court's docket.

SO ORDERED.

Dated: May 2, 2012

/s/ S. Arthur Spiegel

S. Arthur Spiegel

United States Senior District Judge